

REMARKS / ARGUMENTS

By this Amendment, Applicants respond to the Final Office Action dated December 8, 2005 ("Office Action"), in which claims 1-20 were rejected. With this Amendment, Applicants have amended claims 1, 8, 11-13, and 17-20. Accordingly, claims 1-20 remain pending in this application.

In the Office Action, the Examiner (i) objected to informalities in claims 13 and 17; (ii) rejected claims 1-20 under 35 U.S.C. § 112, second paragraph; (iii) rejected claims 19-20 under 35 U.S.C. § 101; (iv) rejected claims 1-2, 16-17, and 19 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,775,655 to Peinado et al. ("Peinado") in view of U.S. Patent No. 5,925,127 to Ahmad ("Ahmad"); and (v) rejected claims 3-15, 18, and 20 under 35 U.S.C. § 103(a) as being obvious over Peinado in view of Ahmad and in further view of various other references.

Applicants respectfully request reconsideration of the above rejections for the reasons set forth below.

Objection to Claims 13 and 17

Applicants thank the Examiner for noting the informalities in claims 13 and 17. Applicants have amended claims 11 and 12, upon which claim 13 depends, and claim 17 in the manner recommended by the Examiner, and thus respectfully submit that the Examiner's objections have been overcome.

Rejection of Claims 1-20 under 35 U.S.C. § 112

Claims 1-20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner objected to the phrase “the electronic rule” in claims 1 and 19. Although Applicants respectfully disagree with the Examiner’s rejection, in order to expedite prosecution Applicants have amended claims 1, 18, and 19 in the manner suggested by the Examiner, and thus respectfully submit that this rejection is now moot.

Rejection of Claims 19-20 under 35 U.S.C. § 101

Claims 19-20 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Although Applicants respectfully disagree with this rejection, in order to expedite prosecution Applicants have amended claims 19 and 20 in a manner that is believed to even more clearly address the Examiner’s concerns, and thus respectfully submit that this rejection has been overcome. The amended text is supported by the specification text and/or drawings as initially filed (see, e.g., FIGS. 5, 6, and 9; and paragraphs 94-96 of the specification), and no new matter has been added.

Rejection of Claims 1-2, 16-17, and 19 under 35 U.S.C. § 103(a)

Claims 1-2, 16-17, and 19 were rejected under 35 U.S.C. § 103(a) as being obvious over Peinado in view of Ahmad. Applicants respectfully disagree with this rejection, and submit that the pending claims are allowable over Peinado in view of Ahmad for at least the reasons set forth below.

With regard to claim 1, Applicants respectfully submit that Peinado fails to teach, *inter alia*, using a rights management program running on a user's computing device to verify the association of a first digital certificate with an application program that is also executing on the user's computing device, and verifying the association of a second digital certificate with a piece of electronic content which the application program has been requested to render.

Instead, as understood, Peinado describes a remote license server that may check a certificate associated with a component of a DRM system running on a user's system (see, e.g., Peinado at column 18, lines 54-67). Peinado does not teach that the DRM system itself would check a digital certificate associated with an application program running on the same computer system as the DRM system. Moreover, unlike claim 1, Peinado also fails to teach the association of a digital certificate with the piece of content that is to be rendered by the application program, or the verification of that digital certificate. Applicants have amended claim 1 to further clarify these distinctions.

Finally, Applicants respectfully submit that Ahmad fails to cure the deficiencies of Peinado. Indeed, Peinado does not even mention "certificates", much less the association of certificates with content and/or application programs, as recited in claim 1, or the verification of such certificates.

For at least these reasons, Applicants respectfully submit that claim 1 is not obvious over Peinado in view of Ahmad.

Claims 2 and 16-17 are dependent on claim 1, and are thus allowable for at least the reasons set forth above in connection with claim 1.

With regard to claim 19, Applicants respectfully submit that Peinado fails to teach, *inter alia*, using a rights management program running on a user's computing device to verify the association of a predefined digital certificate with an application program that is also executing on the user's computing device.

Instead, as understood, Peinado describes a remote license server that may check a certificate associated with a component of a DRM system running on a user's system (see, e.g., Peinado at column 18, lines 54-67). Peinado does not teach that the DRM system itself would check a digital certificate associated with an application program running on the same computer system as the DRM system. Applicants have amended claim 19 to further clarify these distinctions.

Finally, Applicants respectfully submit that Ahmad fails to cure the deficiencies of Peinado. Indeed, Peinado does not even mention "certificates", much less the association of a predefined certificate with an application programs, as recited in claim 19, or the verification of such a certificate in accordance with one or more electronic rules, as is also recited in claim 19.

For at least these reasons, Applicants respectfully submit that claim 19 is not obvious over Peinado in view of Ahmad.

Rejection of Claims 3 and 20 under 35 U.S.C. § 103(a)

Claims 3 and 20 were rejected under 35 U.S.C. § 103(a) as being obvious over Peinado in view of Ahmad and in further view of SDMI. Claims 3 and 20 are ultimately dependent on claims 1 and 19. Further, the deficiencies of Peinado noted above in connection with claim 1 are not cured by Ahmad or SDMI, taken alone or together. Accordingly, claims 3 and 20 are allowable over these references for at least the same

reasons set forth above in connection with claim 1. Applicants therefore request that the rejection of claims 3 and 20 under U.S.C. § 103(a) be withdrawn and the claims allowed.

Rejection of Claims 4 and 5 under 35 U.S.C. § 103(a)

Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being obvious over Peinado in view of Ahmad and SDMI and in further view of Sullivan. Claims 4 and 5 are ultimately dependent on claim 1. Further, the deficiencies of Peinado noted above in connection with claim 1 are not cured by Ahmad, SDMI, or Sullivan, taken alone or together. Accordingly, claims 4 and 5 are allowable over these references for at least the same reasons set forth above in connection with claim 1. Applicants therefore request that the rejection of claims 4 and 5 under U.S.C. § 103(a) be withdrawn and the claims allowed.

Rejection of Claims 6-8 under 35 U.S.C. § 103(a)

Claims 6-8 were rejected under 35 U.S.C. § 103(a) as being obvious over Peinado in view of Ahmad and SDMI and in further view of Lion. Claims 6-8 are ultimately dependent on claim 1. Further, the deficiencies of Peinado noted above in connection with claim 1 are not cured by Ahmad, SDMI, or Lion, taken alone or together. Accordingly, claims 6-8 are allowable over these references for at least the same reasons set forth above in connection with claim 1. Applicants therefore requests that the rejection of claims 6-8 under U.S.C. § 103(a) be withdrawn and the claims allowed.

Rejection of Claim 9 under 35 U.S.C. § 103(a)

Claim 9 was rejected under 35 U.S.C. § 103(a) as being obvious over Peinado in view of Ahmad, SDMI, and Lion and in further view of Hsu. Claim 9 is ultimately dependent on claim 1. Further, the deficiencies of Peinado noted above in connection with claim 1 are not cured by Ahmad, SDMI, Lion, or Hsu, taken alone or together. Accordingly, claim 9 is allowable over these references for at least the same reasons set forth above in connection with claim 1. Applicants therefore request that the rejection of claim 9 under U.S.C. § 103(a) be withdrawn and the claim allowed.

Rejection of Claims 10-15 under 35 U.S.C. § 103(a)

Claims 10-15 were rejected under 35 U.S.C. § 103(a) as being obvious over Peinado in view of Ahmad and SDMI and in further view of Sullivan, Lion, and Hsu. Claims 10-15 are ultimately dependent on claim 1. Further, the deficiencies of Peinado noted above in connection with claim 1 are not cured by Ahmad, SDMI, Sullivan, Lion, or Hsu, taken alone or together. Accordingly, claims 10-15 are allowable over these references for at least the same reasons set forth above in connection with claim 1. Applicants therefore request that the rejection of claims 10-15 under U.S.C. § 103(a) be withdrawn and the claims allowed.

Rejection of Claim 18 under 35 U.S.C. § 103(a)

Claim 18 was rejected under 35 U.S.C. § 103(a) as being obvious over Peinado in view of Ahmad and in further view of Hall. However, claim 18 is ultimately dependent on claim 1, and is thus allowable for at least the reasons set forth above in connection with claim 1. Applicants therefore request that the rejection of claim 18 under U.S.C. § 103(a) be withdrawn and the claim allowed.

Amendment of Claims 1, 8, 13, and 19

In addition to the amendments described above, claims 1, 8, 13, and 19 have also been amended to correct minor informalities and typographical errors. These amendments have been made to improve readability, not for purposes of patentability.

CONCLUSION

In view of the foregoing remarks, Applicants submit that the pending claims are in allowable form, and respectfully request reconsideration of the rejections and timely allowance of the claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: June 8, 2006

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